Judgment of the General Court (Fourth Chamber) of 5 October 2010 — Strategi Group v OHIM — RBI (STRATEGI)

(Case T-92/09)

(Community trade mark — Opposition proceedings — Application for the Community word mark STRATEGI — Earlier national word mark Stratégies — Relative ground for refusal — Proof of use of the earlier trade mark — Article 43(2) of Regulation (EC) No 40/94 (now Article 42(2) of Regulation (EC) No 207/2009) and Rule 22 of Regulation (EC) No 2868/95)

Community trade mark — Observations of third parties and opposition — Examination of the opposition — Proof of use of the earlier mark — Partial use — Effect (Council Regulation No 40/94, Art. 43(2) and (3)) (see para. 45)

Re:

ACTION brought against the decision of the Second Board of Appeal of OHIM of 18 December 2008 (Case R 1581/2007-2), relating to opposition proceedings between Reed Business Information (RBI) and Strategi Group Ltd.

Information relating to the case

Applicant for the Community trade mark:	Strategi Group Ltd
Community trade mark sought:	Word mark STRATEGI for services in Class 35
Proprietor of the mark or sign cited in the opposition proceedings:	Reed Business Information (RBI)

Mark or sign cited in opposition:	French trade mark registration No 1240001 of the word mark Stratégies for goods and services in Classes 9, 16, 28, 35, 41 and 42
Decision of the Opposition Division:	Opposition dismissed
Decision of the Board of Appeal:	Decision of the Opposition Division annulled

Operative part

1. Dismisses the action;

2. Orders Strategi Group Ltd to pay the costs.

Judgment of the General Court (Eighth Chamber) of 7 October 2010 — DHL Aviation and DHL Hub Leipzig v Commission

(Case T-452/08)

(State aid — Air freight — Warranties relating to the operation of DHL's new European hub at Leipzig-Halle Airport — Decision declaring the aid incompatible with the common market and ordering its recovery)

1. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them — Decision of the Commission adressed to a Member State and finding State aid incompatible with the common market — Action by the beneficiary of the aid — Admissibility (see para. 26)*